

**REMARKS**

Claims 41-64 are pending in this application.

In the outstanding Official Action, claims 41-64 are subjected to a restriction requirement.

**I.      *Restriction Requirement***

In the outstanding Official Action, the Examiner has required restriction of claims 41-64 to a single inventive entity under 35 USC §§ 121 and 372. Claims 41-64 were subjected to a restriction requirement as follows:

Group I -    Claims 41-53, drawn to a drug delivery system comprising nanoparticles or microparticles of a poorly soluble drug dispersed in a polymeric hydrophilic bead and disintegrate mixed with the bead;

Group II -    Claims 54-64, drawn to a method for producing a drug delivery system.

**II.     *Election***

Applicants hereby elect ***claims 41-53 of Group I***. Applicants hereby make this election without traverse.

Applicants reserve the right to file a divisional application directed to the non-elected subject matter.

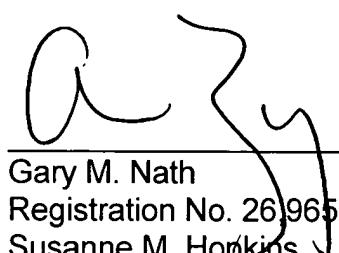
### CONCLUSION

Having made the required elections, examination on the merits is earnestly solicited. Should the Examiner deem that any further action by Applicant's undersigned representative is desirable and/or necessary, the Examiner is invited to telephone the undersigned at the number set forth below.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

**THE NATH LAW GROUP**

  
\_\_\_\_\_  
Gary M. Nath  
Registration No. 26,965  
Susanne M. Hopkins  
Registration No. 33,247  
Ari G. Zytcer  
Registration No. 57,474  
Customer No. 20529

Date: April 15, 2009  
**THE NATH LAW GROUP**  
112 South West Street  
Alexandria, Virginia 22314  
Tel: (703) 548-6284  
Fax: (703) 683-8396